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Docket No. UJF-375  
Serial No. 10/602,394Remarks

Pursuant to applicant's election of Group I in response to a Restriction Requirement, claims 1-8 and 13-20 were pending in the subject application. The applicant respectfully requests claim 28 be made of record and considered a pending claim in this case. Claim 28 was added via a Preliminary Amendment filed on December 20, 2005. By this amendment, the applicant has amended claims 1, 3, 5, 6, and 13 and has canceled claims 4, 9-12, 16, and 21-27. No new subject matter has been added by this amendment. Support for the amendments to the claims can be found throughout the subject application including, for example, at page 5, lines 23-27. Accordingly, claims 1-3, 5-8, 13-15, 17-20, and 28 are now before the Examiner for consideration.

The amendments set forth herein should not be interpreted to indicate that the applicant has agreed with, or acquiesced to, the objection set forth in the outstanding Office Communication. The amendments to the claims have been made in an effort to lend greater clarity to the claimed subject matter and to expedite prosecution. Favorable consideration of the claims now presented, in view of the remarks and amendment set forth herein, is earnestly solicited.

The Office Communication finds the claims to be indefinite because the AGRP (109-118) amino acid sequence is not defined in the claims. The Office Communication also finds the claims to be indefinite because one or all of the melanocortin sequence residues can be substituted and that it is unclear how the claimed sequences are "analogous" to AGRP. The applicant respectfully traverses these findings because the skilled biochemist would readily acknowledge that the amino acid sequence of AGRP (109-118) is known and well preserved across several species as well as recognize which AGRP residues are to be substituted in accordance to the claims.

However, in an effort to expedite prosecution and to address the objection that the claims are too indefinite to allow a meaningful search to be made, the applicant has endeavored to clarify the claims. For example, as noted above, claim 1 has been amended to recite an AGRP (109-118) template sequence of SEQ ID NO: 3. In addition, claim 1 has been amended to clarify the specific AGRP (111-113) residues to be substituted by a determinant sequence, which is also defined in the claims.

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In view of the foregoing remarks and the amendments above, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

The applicant also invites the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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